

**MINUTES FOR THE COURT OF APPEAL
STATE OF CALIFORNIA
SECOND APPELLATE DISTRICT**

Jul 23, 2007

DIVISION ONE

B196004 Los Angeles County, D.C.S. (Not for Publication)
 v.
 Jacqueline G.

The orders are affirmed.

Rothschild, J.

We concur: Mallano, Acting P.J.
 Jackson, J. (Assigned)

B192706 People (Not for Publication)
 v.
 Sanchez

The judgment is affirmed.

Vogel (Miriam A.), Acting P.J.

We concur: Rothschild, J.
 Jackson, J. (Assigned)

July 23, 2007 (Continued)

DIVISION ONE (continued)

B188755 People (Not for Publication)
v.
Patrick James Kitlas

The judgment is affirmed.

Rothschild, J.

We concur: Vogel (Miriam A.), Acting P.J.
Jackson, J. (Assigned)

B192228 Robert Trent (Not for Publication)
v.
Gary Kinney

The judgment is affirmed. Trent is entitled to his costs of appeal.

Vogel (Miriam A.), Acting P.J.

We concur: Mallano, J.
 Jackson, J. (Assigned)

DIVISION TWO

B189889 Salazar
v.
Interland, Inc. et al.

Filed order denying petition for rehearing.

July 23, 2007 (Continued)

DIVISION THREE

B191383 People (Not for Publication)

V.

Jose Emiliano Vallejo

The judgment is affirmed.

Kitching, J.

We concur: Croskey, Acting P.J.
 Aldrich, J.

B193974 Los Angeles County, D.C.S. (Not for Publication)

V.

Sandra M.

In re Y.F. et al

The order is affirmed.

Aldrich, J.

We concur: Croskey, Acting P.J.
 Kitching, J.

B192856 James Robert Howe (Not for Publication)

V.

Department of Motor Vehicles etc

The judgment is affirmed. Each party to bear its own costs on appeal.

Aldrich, J.

We concur: Klein, P.J.
Croskey, J.

DIVISION THREE (continued)

B192551 People (Not for Publication)
v.
Larence Flores

The matter is remanded to the trial court to prepare a corrected abstract of judgment reflecting the sentence imposed: a stay of imposition of sentence pursuant to section 654 for Flores's conviction of assault with a firearm in violation of section 245, subdivision (a)(2) as alleged in count two of the information and imposition of a concurrent middle term of four years in prison for his conviction of mayhem in violation of section 203 as alleged in count three of the information. The trial court is further directed to send a certified copy of the corrected abstract of judgment to the Department of Corrections. In all other respects, the judgment is affirmed.

Croskey, Acting P.J.

We concur: Kitching, J.
 Aldrich, J.

DIVISION FOUR

B189049 People (Certified for Partial Publication)
v.
Medina et al.

The convictions of defendants Marron and Vallejo are reversed. The judgment as to defendant Medina is affirmed.

Suzukawa, J.

We concur: Willhite, Acting P.J.
Manella, J.

DIVISION FOUR (continued)

B190321 City of Pasadena (Not for Publication)

v.

Smooch Reynolds et al.

The judgment is affirmed. The City is awarded its costs.

Suzukawa, J.

We concur: Willhite, Acting P.J.
Manella, J.

B191216 Briones (Not for Publication)

v.

Stillwell Hotel

The order dismissing Briones's action is reversed, and the matter is remanded to the trial court with directions to vacate the dismissal order. Briones's trial counsel is to bear the costs of appeal.

Manella, J.

We concur: Willhite, Acting P.J.
Suzukawa, J.

B191812 Advantec Group, Inc. (Certified for Partial Publication)

v.

Edwin's Plumbing Co., Inc.

The judgment is affirmed.

Willhite, Acting P.J.

We concur: Manella, J.
Suzukawa, J.

July 23, 2007 (Continued)

DIVISION FIVE

B193834 People (Not for Publication)

V.

Roderick C. Elder

The judgment is affirmed.

Armstrong, J.

We concur: Turner, P.J.

Mosk, J.

DIVISION SIX

B187590 Westlake Plaza Realty, Inc. (Not for Publication)

V.

Leyden

The judgment is affirmed. Century 21 shall recover costs.

Perren, J.

We concur: Gilbert, P.J.

Coffee, J.

B184403 Gonzalez et al.,

V.

Stone et al.,

Filed order modifying opinion. Petition for rehearing is denied. (No change in the judgment)

DIVISION SEVEN

B195537 In re Marcus C. Sanders (Not for Publication)
 on Habeas Corpus

Defendant's petition for writ of habeas corpus is granted, and the case is
remanded for resentencing in accordance with this opinion.

Zelon, J.

We concur: Johnson, Acting P.J.
 Woods, J.

B190158 Samuels et al., (Not for Publication)
 v.
 Merrill et al.,

The judgment is affirmed. Respondents are to collect their costs on appeal.

Zelon, J.

We concur: Johnson, Acting P.J.
 Woods, J.

B193380 Doolittle (Not for Publication)
 v.
 City of Los Angeles et al.,

The judgment is affirmed. Respondent(s) to recover costs.

Johnson, Acting P.J.

We concur: Woods, J.
 Zelon, J.

DIVISION SEVEN (continued)

B188407 Marlin et al., (Not for Publication)
 v.
 AIMCO Venezia, LLC et al.,

The judgment is reversed and the cause remanded to the superior court for further proceedings consistent with this opinion. Appellants are awarded their costs on appeal.

Johnson, Acting P.J.

We concur: Woods, J.
 Zelon, J.

B194827 Los Angeles County, D.C.S. (Not for Publication)
 v.
 Craig W.,

The September 12, 2006 order sustaining the petition as to father is reversed and the cause is remanded to the juvenile court with directions (1) to order DCFS to comply with the notice requirements of the ICWA and (2) to conduct such further proceedings as are necessary to establish full compliance with the notice requirements of the ICWA. If, after receiving proper notice under the ICWA, a Cherokee tribe determines Caley is an Indian child within the meaning of the ICWA, the juvenile court shall proceed in conformity with all provisions of the ICWA. If, on the other hand, no response is received from a Cherokee tribe indicating Caley is an Indian child, or responses received indicate Caley is not an Indian child within the meaning of the ICWA, the September 12, 2006 order sustaining the petition as to father shall be reinstated.

Johnson, J.

We concur: Perluss, P.J.
 Woods, J.

DIVISION SEVEN (continued)

B188553 Woodman Investment Group (Not for Publication)

v.

Superior Court, Los Angeles County
(Marcus & Millichap, et al., r.p.i.)

The petition for writ of mandate is denied. Real parties in interest are entitled to recover their costs on appeal.

Johnson, J.

We concur: Perluss, P.J.
 Woods, J.

B191006 People (Not for Publication)

v.

Macias

The judgment is affirmed.

Johnson, J.

We concur: Perluss, P.J.
 Woods, J.

B193056 Young (Not for Publication)

v.

State Farm Fire and Casualty Company

The judgment is affirmed. Respondent(s) to recover costs.

Johnson, J.

We concur: Perluss, P.J.
 Woods, J.

July 23, 2007 (Continued)

DIVISION SEVEN (continued)

B189384 People (Not for Publication)
v.
Castillo

The judgment is affirmed.

Johnson, Acting P.J.

We concur: Woods, J.
Zelon, J.

B192065 People (Not for Publication)
v.
Ott

The cause is remanded with directions to the clerk of the superior court to prepare a new abstract of judgment deleting the one-year term under section 12022, subdivision (b)(1) associated with count 4, and to forward the modified judgment to the Department of Corrections. As so modified, the judgment is affirmed.

Johnson, J.

We concur: Perluss, P.J.
Zelon, J.

July 23, 2007 (Continued)

DIVISION EIGHT

B192432 People (Not for Publication)
v.
Hall

The judgment is affirmed.

Rubin, J.

We concur: Cooper, P.J.
Flier, J.

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The judgment is affirmed.

Rubin, Acting P.J.

We concur: Boland, J.
Flier, J.